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Ming-Wei Juang

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EXAMINER

SWARTZ, JAMIE H

ART UNIT

PAPER NUMBER

3694

MAIL DATE

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PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Office Action Summary	Application No. 10/782,957	Applicant(s) JUANG ET AL.	
	Examiner JAMIE H. SWARTZ	Art Unit 3694	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 21 April 2008.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-10 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-10 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413) |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | Paper No(s)/Mail Date. _____ |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08) | 5) <input type="checkbox"/> Notice of Informal Patent Application |
| Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

Status

1. The action is in response to the amendment filed on April 21, 2008. Claims 1-10 are pending. Claims 1, 4, 5, 9 and 10 are currently amended. No claims were added.

Drawings

2. The drawings were received on April 21, 2008. These drawings are accepted.

Response to Arguments

3. Applicant's arguments with respect to claims 1-10 have been considered but are moot in view of the new ground(s) of rejection.

4. Regarding the Official Notice taken for claim 5 that at the time of the invention a standard computer keyboard included multi-functional keys. The applicant in their response stated that the rejection of Schrader, Lomet, and Official Notice is traversed. However, the applicant did not specifically traverse the use of Official Notice. To adequately traverse an Official Notice finding, the applicant must specifically point out the supposed error in the examiner's action, which would include stating why the noticed fact is not considered to be common knowledge or well-known in the art. A general allegation that claimed defines a patentable invention without any reference to the examiner's assertion of official notice would be inadequate. See 37 CFR 1.111(b). See also Chevenard, 139 F.2d at 713, 60 USPQ at 241. Thus the traversal of the rejection of claim 5 based on the Official Notice was inadequate. The following statements of Official Notice are now formally established on record as admitted prior

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art: at the time of the invention a standard computer keyboard included multi-functional keys.

5. Applicant's arguments filed April 21, 2008 have been fully considered but they are not persuasive.

6. Regarding claim 1 the applicant argues that the prior art combination of Schrader et al. (US 5903881 A) in view of Lomet (US 6754657 B2) does not teach a save command after the save key of the input module being pressed, controlling the memory to save the value in conjunction with the corresponding time parameter provided by the clock according to the save command, and receiving a summation command after the summation key of the input module being pressed for computing a summation of the value saved in the memory. The examiner respectfully disagrees. Lomet teaches that a user may enter commands and information into the computer through input devices such as a keyboard (col. 19, line 40-65) and then also teaches time stamping and the storage of time data (col. 6, line 45 - col. 18, line 6). The storage of time stamped data involves saving in memory a value associated with a time parameter provided by a clock. It was well known in the art at the time of the invention that computer keyboards include function keys and function key combinations. For example by pressing the F12 for Microsoft Office 2000 the save as function will pop up, or the control s combination also saves. This is a program that uses a keyboard that uses a computer and has the functionality of a save key. And further, since the applicant does not specify what type of

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value that is being stored with a date based on the first claim any form of data can be what is saved. Claim 1 does not require numerical data. Any typed document on any type of computing device that is stored with a time stamp speaks to claim 1.

7. Regarding claims 4 and 10 the applicant argues that the prior art combination of Schrader et al. (US 5903881 A) in view of Lomet (US 6754657 B2) does not teach during a specific time period values saved in the memory are summed after a summation key is pressed. The examiner respectfully disagrees. Schrader teaches the summation of values which has a time period associated with it.

Claim Rejections - 35 USC § 112

8. The following is a quotation of the second paragraph of 35 U.S.C. 112:

The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.

9. Claims 4 and 10 are rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.

10. Regarding claims 4 and 10, the phrase "value" renders the claim indefinite. It is unclear how something can be "pre-implemented in a part of number keys of the input module." How can something be pre-implemented in a part? The value is never specifically defined in a way to make clear how the values could be "pre-implemented." What if the values are a character string or an equation?

Claim Rejections - 35 USC § 103

11. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

12. Claims 1-4 and 6-10 are rejected under 35 U.S.C. 103(a) as being unpatentable over Schrader et al. (US 5903881 A) in view of Lomet (US 6754657 B2) in further view of TI-89 TI-92 Plus Guidebook (January 2002).

13. Regarding claim 1, Schrader teaches a computing device capable of time sorting (see at least abstract, col. 7, lines 58-65, col. 12, lines 35-52, col. 5, line 65 – col. 6, line 12). Schrader teaches a display module for displaying a value (see at least col. 5, line 65 – col. 7, line 12). Schrader teaches an input module for inputting, and having at least one save key for saving the value displayed in the display module, and at least one summation key for computing a saved value (see at least col. 9, lines 19-29, col. 12 lines 53-61, col. 7, line 65 – col. 8, line 10, col. 13, line 65 – col. 14, line 20). Schrader teaches a memory for saving the value received from the input module after the at least one save key being pressed (see at least col. 12, line 35 – col. 13, line 7). Schrader teaches a clock for providing a corresponding time parameter while the memory is saving the value (see at least col. 12, line 35 – col. 13, line 7). Schrader teaches a microprocessor for receiving a save command after the save key of the input module

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being pressed, controlling the memory to save the value in conjunction with the corresponding time parameter provided by the clock according to the save command, and receiving a summation command after the summation key of the input module being pressed for computing a summation of the value saved in the memory (see at least Figure 7, col. 12, lines 34 – 53, col. 6, lines 38 – 67, col. 9, lines 19-29, col. 12 lines 53-61, col. 7, line 65 – col. 8, line 10, col. 13, line 65 – col. 14, line 20). Schrader discloses a computer which uses Windows based software. Windows is known to one of ordinary skill in the art at the time of the invention to contain timestamps when saving data. Lomet teaches an example of a timestamp database system invented by Microsoft (col. 6, line 45-col. 20, line 25). The combination of Schrader and Lomet don't specifically teach the input module implemented in hardware. However, TI-89 TI-92 Plus Guidebook teaches an input module implemented in hardware for inputting, and having at least one save key for saving the value displayed in the display module, and at least one summation key for computing a saved value (pg. ii, 47-51, 75, 88, 100-110, 492, 508, 533). TI-89 and TI-92 Plus Guidebook also teaches a save command after the save key of the input module being pressed, controlling the memory to save the value and receiving a summation command after the summation key of the input module being pressed for computing a summation of the value saved in the memory (pg. ii, 47-51, 75, 88, 100-110, 492, 508, 533). Schrader teaches software products for online banking that integrates end user checkbook activities directly with bank statement transactions. TI-89 TI-92 Plus Guidebook teaches the use of the TI-89 and TI-92 Plus calculators. It would have been obvious to one of ordinary skill in the art at the time of

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the invention to modify Schrader to include the details of input modules implemented in the hardware as was commonly seen at the time of the invention on a calculator. A calculator is a computing device while a computer can be a calculating device. A calculator is an electronic or mechanical device for the performance of mathematical computations. Modern calculators incorporate a general purpose computer.

14. Regarding claim 2, Schrader teaches wherein the at least one save key of the input module comprises an income save key for saving an income value displayed in the display module in the memory, and an expense save key for saving an expense value displayed in the display module in the memory (see at least Figure 7, col. 12, lines 34 – 53, col. 6, lines 38 – 67, col. 9, lines 19-29, col. 12 lines 35-61, col. 7, line 65 – col. 8, line 10, col. 13, line 65 – col. 14, line 20).

15. Regarding claim 3, Schrader teaches wherein the memory defines an income save unit for saving the income value, and an expense save unit for saving the expense value. see at least (Figure 7, col. 12, lines 34 – 53, col. 6, lines 38 – 67, col. 9, lines 19-29, col. 12 lines 35-61, col. 7, line 65 – col. 8, line 10, col. 13, line 65 – col. 14, line 20). Moving functionality from one software unit to another is an old and well-known technique that would fall under routine creativity and logic to one of ordinary skill in the art. It was later formalized as refactoring, which is referred to in US Patent 6668325, filed 1998 by Collberg et al., col 25, lines 62-68. Thus any known functionality can be moved to a unit of any name.

16. Regarding claim 4, Schrader teaches wherein a summation of the values saved in the memory that occurred during a specific time period is computed after the summation key is pressed, where the specific time period is selected from the group of: each past day, each past week, each past month, each past season, and a year (see at least Figure 7, col. 12, lines 34 – 53, col. 6, lines 38 – 67, col. 9, lines 19-29, col. 12 lines 53-61, col. 7, line 65 – col. 8, line 10, col. 13, line 65 – col. 14, line 20, col. 9, lines 6 – 15, col. 18, lines 7 - 17). Schrader does not include summation keys that are pre-implemented. However, TI-89 and TI-92 Plus Guidebook also teaches pre-implemented summation and storage keys (pg. ii, 47-51, 75, 88, 100-110, 492, 508, 533). Schrader teaches software products for online banking that integrates end user checkbook activities directly with bank statement transactions. TI-89 TI-92 Plus Guidebook teaches the use of the TI-89 and TI-92 Plus calculators. It would have been obvious to one of ordinary skill in the art at the time of the invention to modify Schrader to include the details of pre-implemented summation keys as was commonly seen at the time of the invention on a calculator. A calculator is a computing device while a computer can be a calculating device. A calculator is an electronic or mechanical device for the performance of mathematical computations. Modern calculators often incorporate a general purpose computer.

17. Regarding claim 6, Schrader teaches a computing device containing a display module, an input module, a memory, a clock, and a microprocessor. Schrader does not

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specifically state RAM. However, RAM was taught in connection with computers at the time of the invention. It would have been obvious at the time of the invention to use RAM in a computer. It would have also been obvious for Schrader to include details of the type of memory that was common place in computers within the specification of the invention. Lomet includes the details of RAM in reference to the claimed computer system (col. 6, line 45-col. 20, line 25).

18. Regarding claim 7, Schrader teaches receiving an input command (see at least col. 9, lines 19-29, col. 12 lines 35 – col. 13, line 65, col. 7, line 65 – col. 8, line 10, col. 13, line 65 – col. 14, line 20). Schrader teaches executing the input command and displaying a value corresponding to the input command (see at least col. 9, lines 19-29, col. 12 lines 35 – col. 13, line 65, col. 7, line 65 – col. 8, line 10, col. 13, line 65 – col. 14, line 20). Schrader teaches receiving a save command for saving the value (see at least col. 9, lines 19-29, col. 12 lines 35 – col. 13, line 65, col. 7, line 65 – col. 8, line 10, col. 13, line 65 – col. 14, line 20). Schrader teaches saving the value in conjunction with a corresponding time parameter in a memory according to the save command (see at least col. 9, lines 19-29, col. 12 lines 35 – col. 13, line 65, col. 7, line 65 – col. 8, line 10, col. 13, line 65 – col. 14, line 20). Schrader discloses a computer which uses Windows based software. Windows is known to one of ordinary skill in the art at the time of the invention to contain timestamps when saving data. Lomet teaches an example of a timestamp database system invented by Microsoft (col. 6, line 45-col. 20, line 25).

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19. Regarding claim 8, Schrader teaches wherein the memory defines an income save unit for saving an income value, and an expense save unit for saving an expense value, and the value to be saved according to the save command being selected from the group of: the income value and the expense value (Figure 7, col. 12, lines 34 – 53, col. 6, lines 38 – 67, col. 9, lines 19-29, col. 12 lines 53-61, col. 7, line 65 – col. 8, line 10, col. 13, line 65 – col. 14, line 20, col. 12, lines 35-52). Moving functionality from one software unit to another is an old and well-known technique that would fall under routine creativity and logic to one of ordinary skill in the art. It was later formalized as refactoring, which is referred to in US Patent 6668325, filed 1998 by Collberg et al., col 25, lines 62-68. Thus any known functionality can be moved to a unit of any name.

20. Regarding claim 9, Schrader teaches receiving a summation command (see at least Figure 7, col. 12, lines 34 – 61, col. 6, lines 38 – 67, col. 9, lines 19-29, col. 7, line 65 – col. 8, line 10, col. 13, line 65 – col. 14, line 20). Schrader teaches computing a summation of the value saved in the memory according to the summation command (see at least Figure 7, col. 12, lines 34 – 61, col. 6, lines 38 – 67, col. 9, lines 19-29, col. 7, line 65 – col. 8, line 10, col. 13, line 65 – col. 14, line 20). The combination of Schrader and Lomet don't specifically teach the input module implemented in hardware. However, TI-89 TI-92 Plus Guidebook teaches an input module implemented in hardware for inputting, and having at least one save key for saving the value displayed in the display module, and at least one summation key for computing a saved value (pg. ii, 47-51, 75, 88, 100-110, 492, 508, 533). TI-89 and TI-92 Plus Guidebook also teaches

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a save command after the save key of the input module being pressed, controlling the memory to save the value and receiving a summation command after the summation key of the input module being pressed for computing a summation of the value saved in the memory (pg. ii, 47-51, 75, 88, 100-110, 492, 508, 533). Schrader teaches software products for online banking that integrates end user checkbook activities directly with bank statement transactions. TI-89 TI-92 Plus Guidebook teaches the use of the TI-89 and TI-92 Plus calculators. It would have been obvious to one of ordinary skill in the art at the time of the invention to modify Schrader to include the details of input modules implemented in the hardware as was commonly seen at the time of the invention on a calculator. A calculator is a computing device while a computer can be a calculating device. A calculator is an electronic or mechanical device for the performance of mathematical computations. Modern calculators often incorporate a general purpose computer.

21. Claims 5 and 10 are rejected under 35 U.S.C. 103(a) as being unpatentable over Schrader et al. (US 5903881 A) in view of Lomet (US 6754657 B2) in view of Official Notice (Now Admitted Prior Art) in further view of TI-89 TI-92 Plus Guidebook (January 2002) in further view of Nakagiri et al. (US 4149257 A).

22. Regarding claim 5, Schrader teaches a computing device containing a display module, an input module, a memory, a clock, and a microprocessor. Lomet teaches time stamping of data items associated with a transaction. The combination of Schrader

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and Lomet does not specifically teach a multi-functional key. However, Official Notice (Now Admitted Prior Art) is taken that at the time of the invention a standard computer keyboard included multi-functional keys. Schrader teaches selecting a specific time period where the specific time period is one day, week, month, season, year (col. 13, line 7 - col. 14, line 57). It is well known to one of ordinary skill in the art at the time of the invention that a typical keyboard used for inputting data into a computer or processor has the capability of multi-function keys. Each letter key has the ability to be a lower case or capital as well as every number key has a symbol attached. Schrader does not specifically teach a multi-functional key that when pressed multiple times changes the displayed date. However, Nakagiri teaches wherein to select a specific time period based on a number of times that the single multi-functional key is pressed down, where the specific time period is one day, week, month, season or year (col. 1, line 5 – col. 5, line 64). Schrader teaches the use of a computer for calculating values. Nakagiri teaches a watch attached to a calculator. Nakagiri teaches the technology of a multifunctional buttons. The technology of Nakagiri has been accomplished by various watch manufacturers and was well known in the art at the time of the current invention. It would have been obvious to one of ordinary skill in the art at the time of the invention to try to add the extra functionality of a multi-functional button which deals in time to Schrader. A multi-functional button allows for the invention to be smaller and more compact as the fewer buttons necessary to create the invention means less area is required on the actual device. A summation of values gives the user vital information. It is always important when calculating finances and budgeting to allow the user to see

what is being spent and where. Since the values could also dates and not only numerical computation values it is also important to have a summary the different activities for each day, week, month, and ect.

23. Regarding claim 10, Schrader teaches computing the summation of the value saved in the memory that occurred during a specific time period which is selected from the group of: each past day, each past week, each past month, each past season, and a year (see at least Figure 7, col. 12, lines 34 – 53, col. 6, lines 38 – 67, col. 9, lines 19-29, col. 12 lines 53-61, col. 7, line 65 – col. 8, line 10, col. 13, line 65 – col. 14, line 20, col. 9, lines 6 – 15, col. 18, lines 7 - 17). Schrader does not include summation keys that are pre-implemented. However, TI-89 and TI-92 Plus Guidebook also teaches pre-implemented summation and storage keys (pg. ii, 47-51, 75, 88, 100-110, 492, 508, 533). Schrader teaches software products for online banking that integrates end user checkbook activities directly with bank statement transactions. TI-89 TI-92 Plus Guidebook teaches the use of the TI-89 and TI-92 Plus calculators. It would have been obvious to one of ordinary skill in the art at the time of the invention to modify Schrader to include the details of pre-implemented summation keys as was commonly seen at the time of the invention on a calculator. A calculator is a computing device while a computer can be a calculating device. A calculator is an electronic or mechanical device for the performance of mathematical computations. Modern calculators often incorporate a general purpose computer. It is well known to one of ordinary skill in the art at the time of the invention that a typical keyboard used for inputting data into a

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computer or processor has the capability of multi-function keys. Each letter key has the ability to be a lower case or capital as well as every number key has a symbol attached. Schrader does not specifically teach a multi-functional key that when pressed multiple times changes the displayed date. However, Nakagiri teaches wherein to select a specific time period based on a number of times that the single multi-functional key is pressed down, where the specific time period is one day, week, month, season or year (col. 1, line 5 – col. 5, line 64). Schrader teaches the use of a computer for calculating values. Nakagiri teaches a watch attached to a calculator. Nakagiri teaches the technology of a multifunctional buttons. The technology of Nakagiri has been accomplished by various watch manufacturers and was well known in the art at the time of the current invention. It would have been obvious to one of ordinary skill in the art at the time of the invention to try to add the extra functionality of a multi-functional button which deals in time to Schrader. A multi-functional button allows for the invention to be smaller and more compact as the fewer buttons necessary to create the invention means less area is required on the actual device. It is always important when calculating finances and budgeting to allow the user to see what is being spent and where. Since the values could also dates it is also important to have a summary the different activities for each day, week, month, and ect.

24. Examiner's Note: The Examiner has cited particular columns and line numbers in the references as applied to the claims for the convenience of the applicant.

Although the specified citations are representative of the teachings in the art and are

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applied to the specific limitations within the individual claim, other passages and figures may apply as well. It is respectfully requested from the applicant, in preparing the responses, to fully consider the references in entirety as potentially teaching all or part of the claimed invention, as well as the context of the passage as taught by the prior art or disclosed by the examiner. The Examiner would also like to note that the use of the Lomet patent was used to show elements not specifically stated by the Schrader reference but were inherently taught by the reference.

Conclusion

25. Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the date of this final action.

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Any inquiry concerning this communication or earlier communications from the examiner should be directed to JAMIE H. SWARTZ whose telephone number is (571)272-7363. The examiner can normally be reached on 8:00am-4:30pm Monday-Friday.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, James Trammell can be reached on (571) 272-6712. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

/J. H. S./
Examiner, Art Unit 3694

/James P Trammell/
Supervisory Patent Examiner, Art Unit 3694